

A CERTIFIED TRUE COPY

SEP 26 2005

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONFILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2005 SEP 28 PM 2:48

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SEP - 8 2005

FILED
CLERK'S OFFICEDOCKET NO. 1657 G. WHYTE
CLERK

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX PRODUCTS LIABILITY LITIGATION**(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-23)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,491 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Michael J. Beck*Michael J. Beck
Clerk of the PanelInasmuch as no objection is
pending at this time, the
stay is lifted.

SEP 26 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**CLERK'S OFFICE
A TRUE COPY**

NOV 1 2005

Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LA

Fee	_____
Process	_____
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CtRmDep	_____
Doc. No	1036

SCHEDULE CTO-23 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<i>EDLA</i> <i>SEC. 6/3</i>
ALABAMA MIDDLE		
ALM 2 05-702	Glendora Turner, etc. v. Merck & Co., Inc., et al:	Vacated 9/23/05
ALABAMA NORTHERN		
ALN 2 05-1633	Steve Widmar, Jr., et al. v. Merck & Co., Inc.	<i>05-4773</i>
ALN 4 05-1616	Helen McMichen, et al. v. Merck & Co., Inc.	<i>05-4774</i>
ALABAMA SOUTHERN		
ALS 1 05-470	Margaret Hadley, et al. v. Merck & Co., Inc., et al.	<i>05-4775</i>
ARKANSAS EASTERN		
ARE 2 05-185	Stoney Walton v. Merck & Co., Inc.	<i>05-4776</i>
CALIFORNIA CENTRAL		
CAC 2 05-5446	Ronnie Penfold v. Merck & Co., Inc.	<i>05-4777</i>
CALIFORNIA NORTHERN		
CAN 3 05-3130	Ismael Lopez, et al. v. Merck & Co., Inc.	<i>05-4778</i>
CAN 3 05-3131	Giovanni Cortese v. Merck & Co., Inc.	<i>05-4779</i>
CAN 3 05-3188	Dennis Parks, et al. v. Merck & Co., Inc.	<i>05-4780</i>
CAN 3 05-3205	Sandra J. Springs v. Merck & Co., Inc., et al.	<i>05-4781</i>
COLORADO		
CO 1 05-1436	Gail Janet Lagomarsino-Burmmett v. Merck & Co., Inc.	<i>05-4782</i>
CONNECTICUT		
CT 3 05-1198	Don Hanrahan v. Merck & Co., Inc.	<i>05-4783</i>
FLORIDA SOUTHERN		
FLS 1 05-22179	James E. Sprinkle, et al. v. Merck & Co., Inc.	<i>05-4784</i>
IOWA NORTHERN		
IAN 1 05-132	Sherrill Herke v. Merck & Co., Inc.	<i>05-4785</i>
IDAHO		
ID 1 05-312	Charles Piquet v. Merck & Co., Inc.	<i>05-4786</i>
ILLINOIS NORTHERN		
ILN 1 05-4556	Patricia Bennett v. Merck & Co., Inc.	<i>05-4787</i>
ILLINOIS SOUTHERN		
ILS 3 05-526	Gary Auslander v. Merck & Co., Inc., et al:	Vacated 9/26/05
ILS 3 05-527	Myrtle Bohannon v. Merck & Co., Inc., et al:	Opposed 9/22/05
ILS 3 05-528	Laurence Madden v. Merck & Co., Inc.	<i>05-4788</i>
ILS 3 05-529	John G. Smith, Jr. v. Merck & Co., Inc., et al:	Opposed 9/26/05
ILS 3 05-548	Bridgette Bradley v. Merck & Co., Inc.	<i>05-4789</i>
ILS 3 05-549	Mary A. Koch v. Merck & Co., Inc.	<i>05-4790</i>
ILS 3 05-550	Larry King v. Merck & Co., Inc., et al:	Opposed 9/26/05
ILS 3 05-557	Arhonda Hoffman v. Merck & Co., Inc.	<i>05-4791</i>
ILS 3 05-558	David Green v. Merck & Co., Inc.	<i>05-4792</i>
ILS 3 05-559	Kelvin Handy v. Merck & Co., Inc.	<i>05-4793</i>

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
ILS 3 05-560	Mae Bess Hale v. Merck & Co., Inc.	05-4794
ILS 3 05-561	David Spiegelberg v. Merck & Co., Inc.	05-4795
ILS 3 05-562	Clara Kirkendall v. Merck & Co., Inc., et al: Opposed 9/16/05	
ILS 3 05-563	Mary Hardin v. Merck & Co., Inc., et al: Opposed 9/16/05	
ILS 3 05-564	Steven Mitchell v. Merck & Co., Inc.	05-4796
ILS 3 05-565	Paul Lucas v. Merck & Co., Inc.	05-4797
ILS 3 05-566	Margaret Hughes v. Merck & Co., Inc., et al.	05-4798
ILS 3 05-567	Bettye Harris v. Merck & Co., Inc.	05-4799
ILS 3 05-568	Betty Belue v. Merck & Co., Inc.	05-4800
ILS 3 05-569	Mary Price v. Merck & Co., Inc.	05-4801
 INDIANA NORTHERN		
INN 3 05-448	Roger Weissmann, et al. v. Merck & Co., Inc.	05-4802
INN 3 05-449	Phyllis Ranschaert v. Merck & Co., Inc.	05-4803
INN 3 05-450	Bernie Harlan v. Merck & Co., Inc.	05-4804
INN 3 05-451	Thomas J. Lustik, et al. v. Merck & Co., Inc.	05-4805
 KANSAS		
KS 2 05-2334	Nona Conyers v. Merck & Co., Inc.	05-4806
KS 2 05-2335	Elaine Coppenbarger v. Merck & Co., Inc., et al.	05-4807
KS 5 05-4090	Alan Hewitt v. Merck & Co., Inc.	05-4808
 KENTUCKY WESTERN		
KYW 1 05-112	Walter Glenn v. Merck & Co., Inc., et al.	05-4809
 LOUISIANA MIDDLE		
LAM 3 05-1003	Brenda Deiter v. Merck & Co., Inc.	05-4810
LAM 3 05-1009	Thomas Gridley v. Merck & Co., Inc.	05-4811
 LOUISIANA WESTERN		
LAW 3 05-1444	Mary Katherine Brady, et al. v. Merck & Co., Inc.	05-4812
LAW 5 05-1409	Connie Hankins, et al. v. Merck & Co., Inc.	05-4813
 MARYLAND		
MD 1 05-2074	Lisa Gray v. Merck & Co., Inc.	05-4814
MD 1 05-2245	William Edris Evans v. Merck & Co., Inc.	05-4815
 MINNESOTA		
MN 0 05-1630	Jimmy Gould v. Merck & Co., Inc.	05-4816
MN 0 05-1641	T.J. Power, etc. v. Merck & Co., Inc.	05-4817
MN 0 05-1642	Salvatore Randazzo v. Merck & Co., Inc.	05-4818
MN 0 05-1643	Ralph C. Pomeroy v. Merck & Co., Inc.	05-4819
MN 0 05-1644	Gerald W. Norback v. Merck & Co., Inc.	05-4820
MN 0 05-1646	David W. Burnham v. Merck & Co., Inc.	05-4821
MN 0 05-1647	Russell R. Keefer v. Merck & Co., Inc.	05-4822
MN 0 05-1648	Brian F. Vaughn v. Merck & Co., Inc.	05-4823
MN 0 05-1649	Alice H. Bolton v. Merck & Co., Inc.	05-4824
MN 0 05-1650	Helen M. Atemborski v. Merck & Co., Inc.	05-4825
MN 0 05-1651	Patricia J. Rivera v. Merck & Co., Inc.	05-4826
 MISSOURI EASTERN		
MOE 4 05-1165	Antonia Albert v. Merck & Co., Inc.	05-4827
MOE 4 05-1166	Francis Best v. Merck & Co., Inc.	05-4828
MOE 4 05-1167	Richard D. Kueber v. Merck & Co., Inc.	05-4829
MOE 4 05-1168	Loretta Bates v. Merck & Co., Inc.	05-4830
MOE 4 05-1169	Nathan Yopp, Sr. v. Merck & Co., Inc.	05-4831
MOE 4 05-1170	Edward Evans v. Merck & Co., Inc.	05-4832

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MOE 4 05-1267	Delores Beaver v. Merck & Co., Inc.	05-4835
 MISSOURI WESTERN		
MOW 4 05-696	William D. Glenn, et al. v. Merck & Co., Inc.	05-4836
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MSN 1 05-190	Shirley Foster v. Merck & Co., Inc., et al.	05-4837
MSN 2 05-154	Lorene Sparks v. Merck & Co., Inc., et al.	05-4838
MSN 2 05-155	Larry Aaron v. Merck & Co., Inc., et al.	05-4839
MSN 2 05-156	Lee Dawkins v. Merck & Co., Inc., et al.	05-4840
MSN 2 05-157	Doretha Banks v. Merck & Co., Inc., et al.	05-4841
 MONTANA		
MT 9 05-128	Kevin Allen v. Merck & Co., Inc.	05-4842
 NORTH CAROLINA EASTERN		
NCE 5 05-520	Richard Gaddie v. Merck & Co., Inc.	05-4843
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ND 3 05-78	Lorn Campbell v. Merck & Co., Inc.	05-4844
 NEBRASKA		
NE 4 05-3189	Jon Brunkhorst v. Merck & Co., Inc.	05-4845
NE 8 05-366	Joann P. Howe, etc. v. Merck & Co., Inc.	05-4846
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NJ 3 05-3728	Wanda Cole, et al. v. Merck & Co., Inc.	05-4847
NJ 3 05-3778	Theresa Ducham, et al. v. Merck & Co., Inc.	05-4848
NJ 3 05-3779	Anthony Krowicki v. Merck & Co., Inc.	05-4849
NJ 3 05-3796	Christie Anderson v. Merck & Co., Inc.	05-4850
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NV 2 05-627	Daniel Morrison, et al. v. Merck & Co., Inc., et al. Opposed 9/23/05	
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NYN 1 05-981	Doreen J. Maxwell v. Merck & Co., Inc.	05-4851
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NYS 1 05-6932	Norma Tio v. Merck & Co., Inc.	05-4852
NYS 1 05-6958	June Tauber Golden, et al. v. Loren Martin Fishman, M.D., et al.,	05-4853
NYS 1 05-7084	Ashraf Ahmed, et al. v. Merck & Co., Inc.	05-4854
NYS 1 05-7085	Carlota Bajana, et al. v. Merck & Co., Inc.	05-4855
 OHIO NORTHERN		
OHN 1 05-1875	Jason Ross v. Merck & Co., Inc.	05-4856
OHN 1 05-1958	Patricia Workman, et al. v. Merck & Co., Inc.	05-4857
 OKLAHOMA WESTERN		
OKW 5 05-871	Mary A. Bruch, et al. v. Merck & Co., Inc.	05-4858
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OR 3 05-1228	Cheryl Edwards v. Merck & Co., Inc.	05-4859
 PENNSYLVANIA EASTERN		
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PAE 2 05-4237	Mark Justus, et al. v. Merck & Co., Inc., et al.	05-4862
PAE 2 05-4238	Sherrie Hedden, etc. v. Merck & Co., Inc., et al.	05-4863
PAE 2 05-4239	Amelia A. Wilson, et al. v. Merck & Co., Inc., et al.	05-4864
PENNSYLVANIA WESTERN		
PAW 2 05-1073	Renee M. Bernabe v. Merck & Co., Inc.	05-4865
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RI 1 05-331	Stephen Moreau v. Merck & Co., Inc.	05-4866
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SD 1 05-1026	Ruth Grotjohn v. Merck & Co., Inc.	05-4867
SD 1 05-1027	Gerald Sanborn v. Merck & Co., Inc.	05-4868
SD 1 05-1028	Charles Mardian v. Merck & Co., Inc.	05-4869
SD 1 05-1029	Jerry Hansen v. Merck & Co., Inc.	05-4870
SD 1 05-1030	Richard Wolf v. Merck & Co., Inc.	05-4871
SD 1 05-1031	Gary Ofstad v. Merck & Co., Inc.	05-4872
SD 1 05-1032	John Shaver v. Merck & Co., Inc.	05-4873
SD 1 05-1033	Steve Klima v. Merck & Co., Inc.	05-4874
SD 1 05-1034	Alvin Dexter v. Merck & Co., Inc.	05-4875
TENNESSEE EASTERN		
TNE 3 05-381	Steven R. Chapman, et al. v. Merck & Co., Inc.	05-4876
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TNM 2 05-71	Joyce Duke, et al. v. Merck & Co., Inc.	05-4877
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TNW 1 05-1203	Phillip Vernon v. Merck & Co., Inc.	05-4878
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TXE 2 05-351	Brenda DeLoach, et al. v. Merck & Co., Inc.	05-4879
TXE 2 05-353	Richard L. Dutton v. Merck & Co., Inc.	05-4880
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TXN 2 05-212	Audelia Serna, etc. v. Merck & Co., Inc.	05-4881
TXN 3 05-1504	Linda Powell v. Merck & Co., Inc.	05-4882
TEXAS SOUTHERN		
TXS 2 05-375	Velma Byrd, etc. v. Merck & Co., Inc.	05-4883
TXS 5 05-164	Rosa Reyes, et al. v. Merck & Co., Inc., et al.	05-4884
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UT 1 05-100	Marilyn Nestman v. Merck & Co., Inc.	05-4885
UT 2 05-636	Clifton E. Allenbach, et al. v. Merck & Co., Inc.	05-4886
WASHINGTON WESTERN		
WAW 2 05-1323	Ronald Forrest v. Merck & Co., Inc.	05-4887
WEST VIRGINIA SOUTHERN		
WVS 2 05-596	Terry Kelly v. Merck & Co., Inc.	05-4888
WYOMING		
WY 2 05-215	James R. Pope v. Merck & Co., Inc.	05-4889